

CITY COUNCIL
REGULAR MEETING
TUESDAY, AUGUST 10, 2021

1. The meeting was called to order in the City Council Chambers at 7:30 p.m., with the Pledge of Allegiance. Councilmembers present included Mayor Mike Lavey, Robert Dobry, Matthew Keefauver, Orly Lucero, Mayor Pro-tem Rachel Medina, and David Rainey. Councilmember Arlina Yazzie was absent. Staff present include Chief of Police Vern Knuckles as well as many Officers from the Police Department, Manager of Marketing and Events Jon Brooks, Court Clerk Administrator Carla Odell, Executive Assistant/City Manager Tamira Osborne, Library Director Isabella Sharpsteen, Director of Public Works Phil Johnson, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Mike Green. There were over 40 people present in the audience.
2. The Consent Agenda items acted upon by Council were as follows:
 - a. Approval of the Worksession and Regular Meeting Minutes of July 27, 2021.
 - b. Approval of the payment of the Expenditure Vouchers of August 10, 2021.
 - c. Approval of a renewal Liquor Store License for Tubros LTD, DBA Cork n' Bottle, located at 443 East Main Street, Cortez.
 - d. Approval of a renewal Tavern Liquor License for Cortez Elks Lodge 1789, Inc., DBA Cortez Elks 1789, located at 2100 North Dolores Road, Cortez.
 - e. Approval of a renewal Hotel and Restaurant Liquor License for Kashmien, LLC, DBA Lotsa Pasta and That'za Pizza, located at 435 East Main Street, Cortez.
 - f. Approval of an Outdoor Dining Agreement and renewal Hotel and Restaurant Liquor License for Blondies Trophy Room LLC, DBA Blondies Trophy Room, located at 45 East Main Street, Cortez.

Councilmember Dobry moved that the Consent Agenda be approved as presented. Councilmember Lucero seconded the motion, and the vote was as follows:

Dobry	Keefauver	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	absent

3. CITIZEN PARTICIPATION

a. Third Street Pocket Park. Amber Kennedy, 520 East 3rd Street, stated that she lives across the street from the Third Street Pocket Park and her children, as well as other neighborhood children, play there often. She stated that during spring break a survey was conducted on placing a community garden in the park and she commented that she supports community gardens but the park is used a lot by all the neighborhood children that cannot go to the bigger park on the north

side of town and she would prefer the park include playground equipment for the children of the neighborhood. She presented a petition that has 25 signatures from the neighborhood (and 50 on-line) in support of the park having playground equipment added to it. She questioned why the City is paying water, fencing for the garden, and putting in a security camera.

b. Cortez Community Gardens. Read Brugger, 340 East Montezuma Avenue, spoke about the Common Ground organization that has been created to support Cortez Community Gardens with the mission to create spaces where people can help each other grow healthy food. He shared a brochure regarding the eight benefits of having gardens in a community. He spoke about the garden that is being created at the Third Street Pocket Park (45 x 30 feet in size, which is less than 7% of the Third Street Pocket Park) and noted that the garden would be used for classroom education for Manaugh Elementary School as well as for many other community organizations and noted that much of the produce is donated to the Good Samaritan's food pantry. He thanked the City for support of the gardens and commented that the gardens promote a healthy lifestyle.

c. Community Gardens. Carolyn Hoff, 409 North Beech Street, spoke of how the community garden has helped her physically, mentally and nutritionally. She stated that gardening has been a learning experience for her and she would recommend it to any human to improve their lives.

d. Redistricting of Montezuma County. Kent Lindsay, Montezuma County Commissioner, asked that Cortez offer their support to keep Cortez whole as there is discussion by the State about redistricting Montezuma County. He stated that both Mancos and Dolores are offering their support requesting that Montezuma County stay as it is currently drawn. City Manager Sanders stated that he would work with the County on how to proceed with the City's support.

e. Redistricting of Montezuma County. Allen Maez, 21693 Road 21, Lewis, noted that it is very important that the City support the County regarding the redistricting plan and that residents can go to coloradoredistricting.com to add their online comments. He stated that Montezuma County should stay whole as we are part of an agriculture community and the watershed is important. He asked if he could comment on the appointment that would be made later in the meeting for the Board of Adjustment and Appeals and City Manager Sanders noted that the appropriate time to comment on the item would be during the discussion on the item; however, comment may not be necessary.

f. Statement by Councilmember Regarding Third Street Pocket Park. Councilmember Keefauver commented that he feels that there could be common ground for the Third Street Pocket Park by making the park more friendly for the kids by providing playground equipment as well as have the garden on a piece of the park as well. He spoke about the improvement of Montezuma Park with the new bandstand which has really been a big plus for the park and the community.

4. PRESENTATIONS

a. Honor City Councilmember Sue Betts. Police Department employees and family and friends of Sue Betts were present to honor the hanging of Sue's picture, with her bird Chaz, in the Council Chambers. Assistant Chief of Police Andy Brock, Detective Tom Quinnett, and past Police Department employee Mike Marston spoke about stories of Sue and Mayor Lavey noted Sue's

service to the community included her employment with the Police Department from 1983 to 2012 and she served on City Council from April 2018 until her passing in August 2020. Sue’s sister, Shirley Sadoris spoke about how much Sue loved this community, especially her devotion to the children, and her fellow Police officers. She thanked everyone for the special recognition. Sue is greatly missed.

b. 8-13-21 Proclamation. Mayor Lavey read the 8-13-21 Proclamation and urged all citizens to spend their dollars locally and celebrate Cortez by showing their support for local businesses on this unique day which happens once in a century.

5. PUBLIC HEARINGS – None.

6. UNFINISHED BUSINESS – None.

7. NEW BUSINESS

a. Out-of-City Water Tap and Pre-Annexation Agreement with Joe D. and Charma D. Gray. Director of Public Works Johnson stated that Joe and Charma Gray have submitted an application for an out-of-City water tap to be installed on their property located at 10820 County Road 26 (east of Mildred Road) adjacent to the City limits. He stated the Grays have recently placed a mobile home and shop on the property. He noted that the cost for a 3/4-inch water tap inside the City limits is \$5,844.30 and with the 50% additional charge added to all water service connections outside the City limits, the charge to the Grays will be \$8,766.45. He stated that a backflow prevention device is required for all water taps, whether inside or outside the City limits. He noted that Montezuma Water Company was contacted about service to the Grays’ property and they have replied that they do not, nor plan to serve water to this location. He stated that with the out-of-City water service contract, a Pre-Annexation Agreement is also required for consideration of water service outside the City limits.

Councilmember Keefauver moved that Council approve an Out-of-City Tap and Pre-Annexation Agreement with Joe D. and Charma D. Gray to property located at 10820 County Road 26. Councilmember Lucero seconded the motion, and the vote was as follows:

Dobry	Keefauver	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	absent

b. Appointment to the Planning and Zoning Commission. Councilmember Keefauver moved that Council vote by silent ballot on the new Planning and Zoning Commission member. Councilmember Rainey seconded the motion, and the vote was as follows:

Dobry	Keefauver	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	absent

Mayor Lavey noted that the person chosen would need to have a successful background check completed before the appointment could be completed. Silent ballots were distributed and City Clerk Smith noted that four votes must be received for the same candidate for the appointment to be

made. The ballots were read for the record with four votes received for Jim Skvorc, one vote for Katrina Weiss, and one vote for Alan Rolston.

Mayor Pro-tem Medina moved that Jim Skvorc be appointed to serve on the Planning and Zoning Commission. Councilmember Keefauver seconded the motion, and the vote was as follows:

Dobry	Keefauver	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	absent

c. Appointment to the Board of Adjustment and Appeals. City Manager Sanders stated that staff is recommending that the appointment to the Board of Adjustment and Appeals be tabled to allow more information to be received.

Councilmember Dobry moved that Council table the appointment to the Board of Adjustment and Appeals. Councilmember Lucero seconded the motion, and the vote was as follows:

Dobry	Keefauver	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	absent

8. DRAFT RESOLUTION/ORDINANCES - None
9. CITIZEN PARTICIPATION – None.
10. OTHER ITEMS OF BUSINESS – None.
11. CITY ATTORNEY’S REPORT – None.
12. CITY MANAGER’S REPORT

a. ClearGov/Region 9/Balloon Festival. City Manager Sanders spoke about the ClearGov (new budgeting software) training that department heads and their administrative staff members have been involved in. He stated that the new software will allow for residents to offer input on the budget prior to the budget being presented to Council for approval. He also spoke about the Region 9 Economic Development Meeting that he and Director of Finance Kelly Koskie attended in Durango. He commented that it is impressive how much occurs behind the scenes on behalf of the local businesses in the way of direct loans and other services that occur to bolster businesses and create or retain jobs. City Manager Sanders spoke about the Cortez Balloon Festival that was held over the last weekend and stated that he heard many positive comments about the park and the community. He commented that the balloon festival is a part of a long list of great events hosted in Cortez.

13. CITY COUNCIL COMMITTEE REPORTS

a. Mayor’s Report on Workshop. Mayor Lavey reported that during the worksession a presentation was made on possible future additions to the Veteran’s Park Memorial and City Planner Tracie Hughes and City Attorney Green reviewed the current food truck (mobile vendor)

ordinance. Also, Lance McDaniel was interviewed for an opening on the Board of Adjustment and Appeals. Councilmember Keefauver congratulated the New Library Director Isabella Sharpensteen who was present in the audience. It was agreed that staff will work on the next steps for the Third Street Pocket Park.

b. Historic Preservation Board. Councilmember Dobry stated that he attended the Cortez Historic Preservation Board meeting held on August 4, 2021, commenting that the main topic was about reaching back out to qualified homeowners to find out if they are interested in listing their home on local historic registry. He stated that discussion also was held on the new survey which expands beyond the original townsite and includes interesting commercial buildings and houses throughout Cortez.

The regular meeting was adjourned at 8:20 p.m.

Michael J. Lavey, Mayor

ATTEST:

Linda L. Smith, City Clerk